

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

JAMES W. HARMS,)	
)	
Plaintiff,)	
)	Civil No. 05-158-ST
v.)	
)	ORDER
JO ANNE B. BARNHART,)	
Commissioner of Social Security,)	
)	
Defendant.)	
_____)	

David B. Lowry
9900 S. W. Greenburg Road
Columbia Business Center, Suite 235
Portland, Oregon 97223

Attorney for Plaintiff

Karin J. Immergut
United States Attorney
Craig J. Casey
Assistant United States Attorney
1000 S. W. Third Avenue, Suite 600
Portland, Oregon 97204-2902

Lucille G. Meis
Richard Rodriguez
Social Security Administration
Office of the General Counsel
701 Fifth Avenue, Suite 2900, M/S 901
Seattle, Washington 98104-7075

Attorneys for Defendant


KING, Judge:

The Honorable Janice Stewart, United States Magistrate Judge, filed Findings and Recommendation on July 11, 2005. The matter is before this court. See 28 U.S.C. § 636(b)(1)(B) and Fed. R. Civ. P. 72(b). No objections have been timely filed. This relieves me of my obligation to give the factual findings de novo review. Lorin Corp. v. Goto & Co., Ltd., 700 F.2d 1202, 1206 (8th Cir. 1983); See also Britt v. Simi Valley Unified School Dist., 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed the legal principles de novo, I find no error.

Accordingly, I ADOPT Magistrate Judge Stewart's Findings and Recommendation (#14).

IT IS HEREBY ORDERED that defendant's Motion to Dismiss (#7) is granted.

DATED this 3rd day of August, 2005.



GARR M. KING
United States District Judge